

**MINUTES OF THE REGULAR MEETING OF THE  
SAN MARCOS PLANNING AND ZONING COMMISSION  
COUNCIL CHAMBERS, CITY HALL  
July 27, 2010**

**1. Present**

**Commissioners:**

Sherwood Bishop, Chair  
Bill Taylor, Vice-Chair  
Randy Bryan (absent)  
Jude Prather  
Curtis O. Seebeck  
Jim Stark  
Chris Wood  
Travis Kelsey (absent)  
Bucky Couch

**City Staff:**

Chuck Swallow, Development Services Director  
Matthew Lewis, Development Services Assistant Director  
Francis Serna, Recording Secretary  
Sofia Nelson, Senior Planner  
John Foreman, Planner  
Abigail Gillfillan, Planner

**2. Call to Order and a Quorum is Present.**

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Bishop at 6:00 p.m. on Tuesday July 27, 2010 in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

**3. Chairperson's Opening Remarks.**

Chair Bishop welcomed the audience.

4. **NOTE:** *The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session;*

**5. Citizen Comment Period**

Pat Moore, 285 Hilliard Road, stated she lived at her residence for 49 years and that during that time she has seen many floods. She commented that she is not against development but development for the sake of greed doesn't fly. Ms. Moore pointed out concerns regarding Windemere Ranch which included development in the flood plain, water quality and traffic. She said, location is a concern and residents are going to be limited when it rains. She added that she has seen Sink Creek flood many times. Hilliard and Lime Kiln are isolated and can't imagine emergency vehicles able to drive in the subdivision. Ms. Moore added that water runoff is going to impact the entire aquifer. She said the entrance will be congested and traffic is already an issue.

Laten Stallings, 163 Hunters Glenn, stated he is against the Windemere variance request. He added that if due diligence was done numerous problems would have been found. Mr. Stalling commented that there is currently a serious traffic problem. He explained how difficult the traffic problem is. Mr. Stalling pointed that the City has invested millions of dollars in the Blanco Vista Subdivision and feels that Blanco Vista Subdivision is a failure. He stated that he feels Windemere Subdivision will also fail because of the location and economy. Mr. Stallings asked the Commission to give proper consideration to the thousands of residents on Lime Kiln and Hilliard.

Polly Wright, 1134 W. Hopkins, born in San Marcos. Ms. Wright stated that she attended the SmartCode meeting and was told that the Code can be changed. She commented that there has not been enough time for staff to amend the Code. She stated that she is a member of the Historic Preservation Commission and they have voted to recommend that the SmartCode be postponed until after January 1, 2011. She added that the Commission wants the new City Council to consider what the citizens think and not what the developers want. . Don't think the new city council should be settled before they are voted out of office. Ms. Wright commented that they do not want the SmartCode in the Historic District or the Downtown Area. She asked for time to work out the details and understand the SmartCode.

Jean Baggett spoke regarding the SmartCode. She said she understand the residential area has been removed from the SmartCode and is happy about it. Ms. Baggett commented she feels it is a good idea to wait so the citizens can get a better handle of the SmartCode. She stated that the SmartCode is not a bad code but it is a long drawn out document. She felt that you cannot read it in just one, two or three sittings. She said reading the code takes awhile to understand the contents. Ms. Baggett added that there are some concerns and suggested that zones be made into simple readable documents. She mentioned that other cities have had successful zones and San Marcos needs a successful Code. Other cities have had successful zones that San Marcos can model and create our own San Marcos Zones. Ms. Baggett mentioned that tight architectural guidelines are necessary, which she felt that San Marcos does not have. She pointed out we need to adopt a San Marcos Code not a code from another city.

Thea Dake was on the Citizen Comment Period Sign Up Sheet but was not available.

Ann Jensen, 1724 W. McCarty Lane stated that she resides across the entrance of the proposed Paso Robles entrance. She is concerned with pollution from Paso Robles Development and its effects on local wells, including hers and urged the Commission to very carefully consider the areas of water, such as the golf course and landscaping with treated wastewater. She said she sees firsthand how readily the water runs into the aquifer. She urged the Commission to consider that adequate protection is done. Ms. Jensen added that she is concerned with the amount of parkland that is being dedicated. She commented that as San Marcos grows don't give away the store. She asked the Commission to hold Carma Developers to the minimum standards of San Marcos.

Paul Geiger, 101 Six Pines Road, San Marcos spoke regarding the PVC-10-03, Windemere variance request. He pointed out that granting a variance would indicate a reason for not following the rules for safety and environment. He said he has not seen a change that would indicate that the variance would supersede the laws of nature and physics. He pointed out concerns with traffic and safety concerns with disaster relief. Mr. Geiger strongly advised against granting the variance.

H.C. Kyle elected to speak during the public hearing of items 13, 14 and 15.

**6. CUP-10-17.** Hold a public hearing and consider possible action on a request by Joe Flanagan, on behalf of Bar Entertainment, Inc DBA Nephews, for a Conditional Use Permit to allow an amendment for the addition of an exterior seating area to an existing Unrestricted CUP for on-premise consumption of mixed beverages at 100 N Guadalupe St.

John Foreman advised the Commission that there are still some outstanding issues regarding the request. He recommended that the request be postponed to the August 24, 2010 Planning & Zoning Commission meeting.

Chair Bishop opened the public hearing. John Hohn, owner of property located at 110 E. San Antonio, which is a law practice. He explained that when he purchased the property twenty years ago, he understood that the downtown would be mixed use. He said that the bar has been in existence since he purchased the building and feels that the bar and law office are incompatible. Mr. Hohn stated that he is opposed to any type of effort by property owner to increase the exterior noise. He said they have a right to use the inside of the building as they choose while keeping the doors closed. Mr. Hohn pointed out that he is against any type of outdoor music or live entertainment. He clarified a comment made by a Commission Member at a previous meeting, that he has no intention of moving out to the new Courthouse. He asked the Commission to maintain the balance use of the area.

Joe Flanagan, owner of Nephews stated that he knew the item would be postponed. He explained that he does not intend to extend the capacity of the building. He said his intention is to allow patrons to go outside to smoke or get fresh air. Mr. Flanagan also pointed out that he did not make it clear on the application, but that there will not be live music or a DJ. He stated that Nephews is the only bar that confiscates id's. In addition, he added that Nephews is the only bar that uses a door counter 6 days a week. Mr. Hohn stated that Nephews has been commended for using the door counters and picking up fake id's.

There were no citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Prather and a second by Commissioner Wood, the Commission voted all in favor to postpone CUP-10-17 to the August 24, 2010 Planning and Zoning Commission Meeting. The motion carried unanimously. Commissioner Couch was recused.

**7. PC-10-11(03).** Consider possible action on a request by Byrn & Associates, Inc., agent for Breckenridge Properties and 90 San Marcos Ltd & DRFM Investments for approval of the final plat of Aspen Heights, being 21.31 acres, more or less, in the J.M. Veramendi Survey No. 2, Abstract No. 17, located approximately 600 ft northwest of the 1900 Block of North IH-35.

**MOTION:** Upon a motion made by Commissioner Stark and a second by Commissioner Seebeck the Commission voted all in favor to approve PC-10-11(03) with the conditions that a separate instrument dedicating the required temporary turn-around be recorded prior to the recordation of the plat. The motion carried unanimously.

**8. PVC-10-03.** Hold a public hearing and consider a request by Hermann Vigil, on behalf of Vince Wood and Rob Haug, for a variance to Chapter 7.4.1.2 of the Land Development Code requiring all subdivisions with 75 or more lots to have at least two points of vehicular access for an approximately 235 acre tract out of the T.J. Chambers, E. Burleson, R. Clever, and E. Clark Surveys.

John Foreman reported that the applicant has requested a postponement for one month.

Chair Bishop opened the public hearing. Jane Hughson, 1600 N LBJ Dr. adjacent property owner of the property in question. She said one egress and ingress is a bad idea. She said in October 1998 there was a lot of water and asked the Commission to listen to the Fire Department. Ms. Hughson asked the Commission to not approve the variance.

Michelle Bussemey, 2608 Green Leaf, a citizen of San Marcos and a Board Member of the San Marcos River Foundation stated that the area is critical for habitat and Springlake. She asked the Commissioners to not to approve the request.

Diane Wassenich, works for the San Marcos River Foundation asked the Commissioners not to grant the variance and not to ignore the City's health and safety rules for requiring two entrances in a subdivision of this size. She pointed out that the fire and flood dangers are very well known. Ms. Wassenich stated she understands that the 75 homes have to be allowed but the entrance road in the flood plain does not have to be allowed. She explained that the property is on the recharge zone. She gave a brief overview of a map created by Dr. Long in 1975. Ms. Wassenich pointed out that Windemere Subdivision is in the most critical area for our springs.

Tyler Carlson, 136 Hunters Glenn Drive, said that he has seen flooding and people being totally landlocked. He stated that he would like to see the lots platted at 1.5 acres and feels that there is no way 200 homes can be constructed on the property. Mr. Carlson pointed out the purchasers of the land did not consult any of the adjacent land owners to see if they could purchase their land. He felt that there was no due diligence. Mr. Carlson mentioned that the Commission should have two letters that he submitted, one which was dated incorrectly. He commented that allowing the variance would degrade the current owners in the area. Mr. Carlson said the property is close to the springs and river with endangered species which was set aside to protect the springs.

Don Meador, 110 Lime Kiln Road stated that he cannot imagine in good conscious how he would build a subdivision with an entrance that he knew was going to be blocked from services at some point in time. It is dangerous and you should not do it.

There were no citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Taylor and a second by Commissioner Wood, the Commission voted all in favor to postpone PVC-10-03 to the August 24, 2010 Planning and Zoning Commission Meeting. The motion carried unanimously.

**9. Hold a public hearing and consider a request by Carma Paso Robles, LLC for the following:**

- a. **PDA-08-03.** A petition for development agreement for the entire site that addresses annexation, utility services, transportation, development standards, parkland and other project amenities accompanied with duties and responsibilities of the Developer, City and Property Owners Association over the term of the Development Agreement.
- b. **LUA-08-12.** Future Land Use Map Amendment from High Density Residential (HDR), OS (Open Space), I (Industrial) to C (Commercial). The subject area includes 60.3 acres and is located east of Hunter Road and south of Centerpoint Road.
- c. **PDD-08-05.** Zoning Change from FD (Future Development and UZ (Unzoned) to a PDD (Planned Development District) with the underlying base zoning for the PDD to be Mixed Use and General Commercial. Subject area includes 1338.5 acres, Area 1 located at the terminus of Centerpoint Road and Hunter Road, Area 2 located east of Hunter Road and south of Centerpoint Road.
- d. **ZC-08-20.** Zoning Change from Future Development (FD)/ Unzoned (UZ) to a base zoning category with the PDD zoning classification of MU (Mixed Use) for 1278.29 acres located at the terminus of Centerpoint Road and Hunter Road.
- e. **ZC-08-21.** Zoning Change from Future Development (FD)/ Unzoned (UZ) to a base zoning category with the PDD zoning classification of General Commercial (GC) for 60.3 acres located east of Hunter Road and south of Center point Road.

Chair Bishop opened the public hearing.

Mr. Maksymowicz, 3101 Oak Ledge, stated that he has two properties that form boundaries of the proposal. He asked for clarification regarding the 200' buffer notification.

Rick Martinez, 1451 Sunset Ridge stated that his property backs up to the proposed golf course. Mr. Martinez also asked for clarification of the 200' buffer zone and why citizen only within the 200' buffer zone are allowed to make a decision.

James B. 3101 McCarty Parkway/McCarty Ranch Subdivision asked if the existing streets are going to be used for ingress and egress.

Michelle Bussemey, 2608 Greenleaf, spoke as a concerned citizens and a member of the Parks and Recreation Board. She said she was concerned that there was no land set aside for a small buffer and that the parkland dedication was not addressed at the Parks Board meeting.

Diane Wassenich, San Marcos River Foundation asked the Commissioners to take time to thoroughly understand the land and the wells that the golf course community is planned to be located. Ms. Wassenich provided the Commission copies of maps indicating the locations of the wells. She said she has a problem if wastewater is be used on the golf course. She added that clean water would also cause a concern with chemicals and pesticides. Ms. Wassenich explained the Audubon Certification process and commented that there is no assurance that the open recharge zone on the property or the creeks will be protected from chemicals by the certification. She added that if there is going to be an incentive given to the development to build a golf course on the recharge zone, they need to know the issues. Ms. Wassenich added that there has been a lot of extensive testing, if chemicals show up the golf course will not be able to operate in future.

Tom Brandt, employed by U. S. Fish and Wildlife Service, at the National Fish Hatchery and Technology Center, 500 E. McCarty Lane. He said two wells are located close to the development. Mr. Brandt confirmed that there are endangered species and plan on bringing additional endangered species on station. He said he has are concerns with the development being in the recharge zone and the use of reclaimed water.

Kevin Carswell, 132 Country Lane said he has heard a lot of debate regarding Paso Robles Development. He said a lot of questions that he had have been answered. Mr. Carswell commented that the development brings in a quality environment for more home choices. In addition the tax base would be important and vital to the community. He stated that he was in support of the project.

Anita Fuller, 121 Kathryn Cove, stated she is in support of project. She said the development will create high end housing needed in San Marcos as we grown and bring in new industry that requires that type of housing. In addition, she stated that the development will bring in much needed tax revenue for the city. Ms. Fuller mentioned that the golf course, bike and hike trail will be for all to use. She pointed out that Paso Robles will maintain the open space. Ms. Fuller added that although there are many environmental concerns, the developer is working quite intensively with TCEQ and other environmental agents to make sure they are in compliance. She feels that this is a great project for the community.

Michelle Carswell 132 County Lane stated that she has seen the presentation and that the most important questions she had have been answered. She said she has been in San Marcos since 1983 and as the City brings in new opportunities which is inclusive with residential. Ms. Carswell commented that residents have relocated north and south of San Marcos because there is no housing that is accommodating and affordable. She pointed out that there are pros and cons with all projects and encouraged all to find a happy medium that is suitable for all.

Allen Guild stated that he has lived in San Marcos for 43 years. He said he has seen communities grow from a tight community to vibrant communities. He commented that looking at the project it can be a godsend to the needs of the development community. Mr. Guild stated that our living accommodations are much too large and don't fit life styles and are faced to tolerating or moving to another location. Mr. Guild asked the Commission to give them the consideration and give the opportunity to let their children and grandchildren enjoy this type of life.

Wren Waterman, 2830 Water Ridge Drive, stated he is a realtor and developer. He commended the Commissioners for their stand and their time on the Commission. He said this is a good project and if the State and Federal Agencies say it's a good project that is good enough for him. Mr. Watersman added that the development is also good for new jobs. He asked the Commission to make their decision on facts make decision on facts. He thanked the Commission for their time, energy and consideration.

Dave (last name unknown) a recent graduate from TX State explained that a majority of graduate students pack their bags and leave San Marcos. He said, that he graduated and has opened a business in San Marcos and wants to be a part of the community. He stated that there is a problem with making companies attracted to the area. He feels that the housing project will attract graduates to remain in San Marcos and become involved in San Marcos.

Chance Scott, 201 Second Street, stated he has heard the positives and negatives of the project and is in support of the project.

Chair Bishop announced a ten minute recess at 8:20 p.m. The meeting reconvened at 8:33 p.m.

**MOTION:** Upon a motion made by Commissioner Stark and a second by Commissioner Prather, the Commission voted six (6) for, one (1) opposed to postpone PDA-08-03; LUA-08-12; PDD-08-05; ZC-08-20; and ZC-08-21 to the August 10, 2010 Planning Commission Meeting. The motion carried. Commissioner Taylor voted no.

**10. LUA-10-08.** Hold a public hearing and consider possible action on a request by Vincent Gerard & Assoc. Inc, for a Future Land Use Map Amendment from Low Density Residential (LDR) to High Density Residential (HDR) being approximately 0.360 acres, located at 1028 Chestnut Street.

**11. ZC-10-11.** Hold a public hearing and consider possible action on a request by Vincent Gerard & Assoc. Inc, for a Zoning Change from SF-6 (Single Family) to Multi-Family (MF-24) being approximately 0.721 acres, located at 1028 Chestnut Street.

Chair Bishop opened the public hearing for LUA-10-08 and ZC-10-11. Warren Hoke stated he owns property at 1111 LBJ. In the past there were plans to close Peach Street which would block access to his property and where utilities are provided. He said he is against anything that would cause him to lose access to his property. There were no additional citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Stark and a second by Commissioner Wood, the Commission voted three (3) for and four (4) opposed to postpone indefinitely LUA-10-08 and ZC-10-11. The motion failed. Commissioners Couch, Prather, Seebeck and Taylor voted no.

**MOTION:** Upon a motion made by Commissioner Couch and a second by Commissioner Prather, the Commission voted five (5) for and two (2) opposed to approve LUA-10-08. The motion carried. Commissioners Bishop and Stark voted no.

**MOTION:** Upon a motion made by Commissioner Prather and a second by Commissioner Couch, the Commission voted five (5) for and two (2) opposed to approve ZC-10-11. The motion carried. Commissioners Bishop and Stark voted no.

**12.** Hold a public hearing and consider possible action on amending the land use matrix to add a classification for charitable gaming facilities and to define this use in Chapter 8 of the Land Development Code.

Chair Bishop opened the public hearing.

Paul Melton, Vice President of State Board of Director Foundation of the Department of Texas VFW and others were present. He explained that the VFW has been engaged in sweepstakes fundraising and have been in the forefront of fundraising in their TABC licensed premises since 2009 when VFW first went to the TABC seeking permission to operate their sweepstakes software in the licensed premises. He said their objection to the definition presented by staff is that the lottery commission does not regulate anything but the Texas lottery. Mr. Melton pointed out that the sweepstakes is not a lottery. He also pointed out that the VFW is a recognized charity and operate at 102 posts jurisdictions. This has been the most successful fundraiser they have ever had. Mr. Melton stated that 100 percent of money raised stays stay with the VFW. He said they are vey opposed to game room operations of any type and anywhere.

Dan West, resides at 2012 Meadow View and member of the local VFW Post in San Marcos. He explained that when he moved to the community 1994, the VFW was no more than a run down bar. The VFW has been transformed to a community resource which includes hosting the food bank, free breakfast to any disabled veteran and spouses, free dinner for veterans on Sundays, and a part of angel food ministries. Mr. West pointed out that last year, they earned 1st place in State and Nationwide for community service hours. He said they are in opposition of gaming facilities.

David Adams, 309 White Tail Drive and Post Commander at the VFW said that since they have had the machines, the Police Department has stopped by check it out and found everything legal and have not had anything bad to say.

There were no additional citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Seebeck and a second by Commissioner Prather, the Commission voted six (6) for and one (1) opposed to postpone consideration on amending the land use matrix to add a classification for charitable gaming facilities and to define the use in Chapter 8 of the Land Development Code to the August 10, 2010 Planning and Zoning Commission meeting. The motion carried.

**13.** Hold a public hearing and consider action on amending the Land Development Code to include a provision establishing a new Section 4.2.2.9 entitled San Marcos SmartCode and Transect Zones.

Chair Bishop opened the public hearing.

Robert Hageman stated that he was before the Commission approximately one year ago when he built Lindsey Lofts. Mr. Hageman said he is very confused and has more questions now than he did before. He said he built Lindsey Lofts under the Land Development Code and asked if he was allowed to build the lofts under the SmartCode. He felt that Lindsey Lofts could not be built under the SmartCode. He explained he has a vacant ½ acre lot behind Lindsey Lofts that he is having difficulty developing a commercial building. He said he has not had anyone interested in building. Mr. Hageman stated he is concerned that if the SmartCode was approved, he would be told what he could and couldn't build on the property.

Diana Baker said she had a question regarding the 80 acres. She asked if she was a developer and decided she wanted to go with the SmartCode on her 80 acres, could she be able to develop whatever she wants to and not have a public hearing.

Carmen Imel, 725 W. San Antonio Street stated her main concern is the DRC; the new layer that people have to go through main concern is DRC. She said there are several groups in the City that are looking out for downtown which include, Planning Commission, Main Street, Historic Preservation Commission and feels that no one talks to each other. Ms. Imel said it's sad that San Marcos has a lot of groups focused on making San Marcos a better place but do not communicate. She added that she hopes that the SmartCode does not pass.

Dawna Figol, 333 Pinnacle Parkway, New Braunfels, Texas, own properties in the downtown area. Ms. Figol thanked staff for time they have put in the SmartCode. She said the SmartCode is a good thing and good for downtown San Marcos. Ms. Figol said she had a question regarding the proposed number of bars for the downtown area. She doesn't understand where the dividing lines are.

John David Carson, San Marcos Area Board of Realtors, stated he strongly encourages the adoption of the SmartCode as amended. Mr. Carson pointed out that they do have concerns regarding the proposed density. Mr. Carson pointed out that the SmartCode does not replace the LDC but becomes a part of the LDC. Mr. Carson spoke in support of adoption of the SmartCode.

Brenda Smith stated that there are still a lot of questions and that she is still very confused. She said she has served on the Zoning Commission and is an attorney, although is still confused. Ms. Smith commented that she trust the Planning Commission because they have a stake in the community and it concerns her when things are taken out of their hands.

Jane Hughson asked the Commission to take more time on the SmartCode. She asked that staff please refrain from stating their personal opinions as fact. She asked that staff be more objective. Ms. Hughson asked if the Land Development Code is so bad then why not amend it. If

Camille Phillips stated that the Downtown Master Plan did not capture the vision of the community when it recommends five story-80' condos along C.M. Allen. The Downtown Master Plan recommends very tall condos along C.M. Allen which no one she has spoken to wants that to happen. Ms. Phillips stated that five months is way too fast and suggested the SmartCode be postponed until 2011 to allow citizens to review the Code.

Wayne Kramer stated he was glad to hear that the Historic Districts are not included in the SmartCode. He asked the Commission to eject the SmartCode for San Marcos.

HC Kyle, 711 W. San Antonio Street said he understood that studying the SmartCode is extremely difficult. Mr. Kyle pointed out that those who work, live and shop in downtown have one problem, parking. He said the last proposal he heard was 1 parking space per unit. Mr. Kyle stated from experience most people living in the downtown area drive a vehicle. He pointed out that there is not adequate parking on San Antonio Street and now an issue in the downtown area. He thanked Mr. Lewis for everything he has put into the SmartCode and knows it's terribly difficult and there is a serious problem.

There were no additional citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Seebeck and a second by Commissioner Taylor, the Commission voted five (5) for and two (2) opposed to postpone consideration on amending the Land Development Code to include a provision establishing a new Section 4.2.2.9 entitled San Marcos SmartCode and Transect Zones to a date uncertain. The motion carried.

**14.** Hold a public hearing and consider action on a future land use map amendment for an area generally bounded by Concho Street, Lindsey Street, Moore Street, Comanche Street, Fredericksburg, Hull Street, IH-35, McKee and CM Allen from Mixed Use, Open Space, Industrial, Public and Institutional, Heavy Commercial, Neighborhood Commercial, Commercial, High Density Residential, Medium Density Residential, and Low Density Residential to G4(Growth Area 4), O1(Open Space 1), or O2(Open Space 2).



Chair Bishop opened the public hearing. There were no citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood, the Commission voted six (6) for and one (1) opposed to postpone Item 14 to a date uncertain. The motion carried. Commissioners Prather voted no.

**15.** Hold a public hearing and consider action on a zoning change for an area generally bounded by Concho Street, Lindsey Street, Moore Street, Comanche Street, Fredericksburg, Hull Street, IH-35, McKee and CM Allen from GC (General Commercial), MF-18 (Multi-Family), MF-24 (Multi-Family), NC (Neighborhood Commercial), MU (Mixed Use), CC (Community Commercial), OP (Office Professional), CBA (Central Business Area), P (Public and Institutional), TH (Townhomes), SF-6 (Single Family Residential), SF-4.5 (Single Family Residential), HC (Heavy Commercial) to T4 (Transect 4), T5 (Transect 5), or CS (Civic Space).

Chair Bishop opened the public hearing. There were no citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Prather and a second by Commissioner Stark, the Commission voted all in favor to postpone Item 15 to a date uncertain. The motion carried unanimously

**16.** Hold a public hearing and consider an amendment to the Transportation Master Plan to include the extension of Leah Street, the deletion of CR110 and the adoption of the ITE Context Sensitive Solutions Manual to the Thoroughfare Plan.

Chair Bishop opened the public hearing. There were no citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Taylor and a second by Commissioner Seebeck, the Commission voted six (6) for and none (0) opposed and one (1) abstained to recommend to City Council the amendment to the Transportation Master Plan to include the extension of Leah Street, the deletion of CR110 and the adoption of the ITE Context Sensitive Solutions Manual to the Thoroughfare Plan. The motion carried. Commissioner Stark abstained.

#### **17. Discussion Items.**

Commission members and staff may discuss and report on items related to the Commission's general duties and responsibilities. The Commission may not take any vote or other action on any item other than to obtain a consensus regarding items that will be placed on future agendas for formal action.

Commissioner Seebeck announced that Matthew Lewis, Assistant Director of Development Services is a San Marcos resident.

#### **Planning Report**

There was no Planning Report.

#### **Commissioners' Report**

There were no Commissioner's Reports.

#### **18. Consider approval of the minutes from the Regular Meeting of July 13, 2010.**

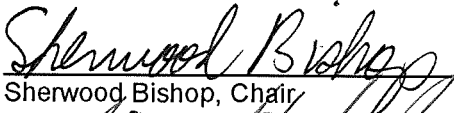
**MOTION:** Upon a motion made by Commissioner Stark and a second by Commissioner Wood, the Commission voted all in favor to approve the minutes from the Regular Meeting of July 13, 2010. The motion carried unanimously.

**19. Questions and answers from the Press and Public.**


There were no questions from the Press and Public.

**20. Adjournment**

Chair Bishop adjourned the Planning and Zoning Commission at 11:50 p.m. on Tuesday, July 27, 2010.


  
Sherwood Bishop, Chair


  
Jim Stark, Commissioner

  
Chris Wood, Commissioner


  
Bucky Couch, Commissioner

  
Bill Taylor, Commissioner

  
Jude Prather, Commissioner

  
Curtis Seebeck, Commissioner

ATTEST:

  
Francis Serna, Recording Secretary